

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

Plaintiff,

v.

MARTINEZ, Sergeant; et al.,

Defendants.

No. C 11-5793 SI (pr)

**ORDER EXTENDING DEADLINES  
AND DENYING DEFAULT REQUEST**

Defendant filed an *ex parte* request for a 60-day extension of time to file a dispositive motion. Upon due consideration of the request and the accompanying declaration of attorney Kathleen Boergers, the court GRANTS the request. (Docket # 14.) The court now sets the following new briefing schedule for dispositive motions:

1. Defendant must file and serve his dispositive motion no later than **February 8, 2013**.


2. Plaintiff must file and serve on defense counsel his opposition to the dispositive motion no later than **March 8, 2013**.

3. Defendant must file and serve any reply brief no later than **March 22, 2013**.

Plaintiff's "action: declaration for entry of default" is construed to be a request for entry of default and is DENIED. (Docket # 18.) Defendant was not in default at the time the request was filed.

IT IS SO ORDERED.

Dated: December 20, 2012

  
SUSAN ILLSTON  
United States District Judge